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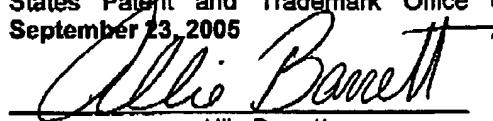
NO. 9765 P. 5

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PATENT

CERTIFICATE OF FACSIMILE

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September 23, 2005



Allie Barrett

Applicant: Schwartz et al.
Serial No.: 10/665,785
Filed: September 17, 2003
Title: LUMENAL VASCULAR
COMPLIANCE DEVICE
AND METHOD OF USE
Examiner: Prone, Christopher D.
Group Art Unit: 3738
Atty. Docket No.: 20220-501

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE TO RESTRICTION UNDER 35 U.S.C. 121**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Responsive to the Restriction Requirement dated June 23, 2005,
Applicant responds as follows:

I. Election of Group

The Applicant hereby elects, without traverse, Group I, claims 1-17.

II. Election of Species

The Applicant hereby elects, with traverse, Species A, which the Examiner
has correlated with Figures 1 and 2. In this regard, all of the claims of Group 1,
namely, claims 1-17, read on the elected species. The assertion that all elected
claims read on the elected species can be confirmed by referring to the
specification where it is stated numerous times that the elastic member depicted
in Figures 1 and 2 can include many different mechanisms for achieving the
recited elasticity, including many of the mechanisms depicted in other drawing
figures.

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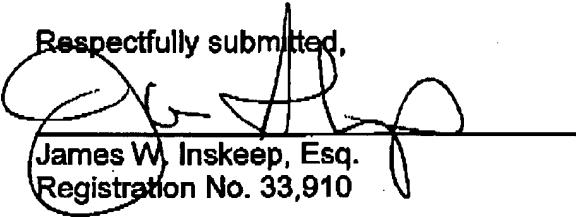
III. Conclusion

Claims 1-23 are pending before the Examiner. Of these claims, claims 1-17 are elected for substantive examination until a generic claim is allowed. Moreover, the election of claims is made without prejudice or disclaimer to seek prosecution of the non-elected claims in future divisional applications. Should contact with the undersigned facilitate further consideration of this application, the Examiner is encouraged to contact the undersigned at the number below.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to Deposit Account No. 50-2809.

Respectfully submitted,

Dated: September 23, 2005


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